

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



February 7, 2014

Paul Christman  
Building Official  
City of Rancho Palos Verdes  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275

RE: Ordinance #554U and 551

Dear Mr. Christman:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on January 6, 2014.

Our review finds the submittal to contain two ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

January 2, 2014

California Building Standards Commission  
2525 Natomas Park Dr. Suite 130  
Sacramento, California 95833

RE: City of Rancho Palos Verdes Building and Fire Code Ordinance

Mr. Jim McGowan

The City of Rancho Palos Verdes has adopted the 2013 California Fire, Building, Residential, Plumbing, Mechanical, Electrical, and Green Building Codes.

The City of Rancho Palos Verdes has recommended changes and modifications to the Codes, and have advised that certain said changes and modifications to the 2013 Editions of the California Codes are reasonably necessary due to local conditions in the City of Rancho Palos Verdes, and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code or are reasonably necessary to safeguard life and property within the City of Rancho Palos Verdes.

The enclosed (certified copy) of the resolution and City Ordinance is for your files.

If additional information is desired please telephone this office at (310) 265-7800.

Sincerely,



Paul Christman  
Building Official

**RESOLUTION NO. 2013-81**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE 2013 CALIFORNIA BUILDING AND FIRE CODES ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS.**

WHEREAS, Health and Safety Code Section 17958 provides that the City of Rancho Palos Verdes may adopt ordinances and regulations imposing the same or modified requirements as are contained in the regulations adopted by the State pursuant to Health and Safety Code Section 17922; and

WHEREAS, the State of California is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent edition of the California Building Standards Administrative Code, the California Building Code, the California Residential Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Energy Code, the California Historical Building Code, the California Fire Code, the California Existing Building Code, the California Green Building Standards Code and the California Reference Standards Code (hereinafter referred to collectively as "Codes"); and

WHEREAS, Health and Safety Code Section 17598.7(a) permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geographic or topographic conditions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1. The Building Division has recommended that changes and modifications be made to the Codes and have advised that certain said changes and modifications to the 2013 Editions of the California Building Code and California Fire Code, are reasonably necessary due to local conditions in the City of Rancho Palos Verdes as described below:

A. Climatic Conditions. The local climate is characterized by periods of high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the fire department may have great difficulty in controlling fires occurring in hillside brush areas as well as structures not having built-in fire protection. Further, the warm climate encourages the proliferation of swimming pool construction which makes modifications to the California Building Code relating to swimming pools desirable to adequately protect small children from drowning

hazards. The City also experiences periods of intense rainfall, which create the need for special drainage precautions.

B. **Geological Conditions.** The City is located in an area with expansive soils and includes hillsides that are subject to landslides, mud flows and unstable soils. Special foundation considerations and soils analysis requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas in order to prevent injury to building occupants, neighbors, and persons using public property. Grading operations in areas of the City where the land is unstable are likely to create hazardous conditions. New construction or additions in an active landslide area must be regulated to ensure that the slide will not be exacerbated and, if possible, where land stability will be improved. These factors require specific and greater protection than is afforded by California Building Code.

C. **Topographical Conditions.** The City has hillside and flat land developments that require special drainage precautions, as well as several areas that are subject to landslides and expansive soils. Structures would be subject to damage from these conditions and to water damage without special requirements addressing site drainage.

Section 2. Amendments to the 2013 Edition of the California Building Code, as contained in City of Rancho Palos Verdes Ordinance No. 561, are found reasonably necessary based on the climatic, geological and/or topographical conditions cited above in Paragraphs A, B and C of Section 1 of this Resolution and are listed as follows:

<u>Building Code Section</u>	<u>Findings</u>
104.8	Administrative
105.2	Administrative
105.3.2	Administrative
105.5	Administrative
107A	Administrative
109.2	Administrative
110.1	Administrative
111A	Geological
111B	Geological

<b><u>Building Code Section</u></b>	<b><u>Findings</u></b>
111C	Geological
111.1	Administrative
113	Administrative
114.1	Administrative
114.4	Administrative
114.5	Administrative
1805.5	Geological
3109.4.1	Topographical
3314	Topographical
3314.1	Topographical
3314.2	Topographical
3314.3	Topographical
3314.4	Topographical

**Section 3.** Amendments to the 2013 Edition of the California Fire Code, as contained in City of Rancho Palos Verdes Ordinance No. 561, are found reasonably necessary based on the climatic, geological and/or topographical conditions and are listed as follows:

<b><u>Fire Code Section</u></b>	<b><u>Findings</u></b>
101.1	Administrative
103.2	Administrative
5608.1.2	Climatic
5608.1.3	Climatic

Section 4. The City Clerk shall certify to the adoption of this resolution, shall cause this resolution and her certification to be entered in the Book of Resolutions of the Council of this City, and shall cause a copy hereof to be forthwith transmitted to the California Building Standards Commission.

PASSED, APPROVED, and ADOPTED this 17<sup>th</sup> day of December, 2013.

/s/ Jerry V. Duhovic  
Mayor

ATTEST:

/s/ Carla Morreale  
City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )ss  
CITY OF RANCHO PALOS VERDES        )

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 2013-81 was duly and regularly passed and adopted by the said City Council at a regular meeting held on December 17, 2013.

  
\_\_\_\_\_  
City Clerk

ORDINANCE NO. 554U

AN URGENCY ORDINANCE OF THE CITY OF RANCHO PALOS VERDES ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING, RESIDENTIAL, GREEN BUILDING STANDARDS, PLUMBING, ELECTRICAL, MECHANICAL AND FIRE CODES, WHICH ARE CODIFIED IN TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, CHAPTER 7A OF TITLE 26 OF THE LOS ANGELES COUNTY CODE, THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS 1997 EDITION, THE UNIFORM HOUSING CODE 1997 EDITION, AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, WITH APPENDICES AND AMENDMENTS THERETO; AND AMENDING THE RANCHO PALOS VERDES MUNICIPAL CODE, AND DECLARING THE URGENCY THEREOF.

THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.08 of Title 8 of the Rancho Palos Verdes Municipal Code is hereby amended to read as follows:

**"Chapter 8.08**

**FIRE CODE**

**Sections:**

- 8.08.010** Fire Code adopted.
- 8.08.020** Fire Code amended—Fireworks displays.
- 8.08.030** Violations—Penalties.
- 8.08.040** Responsibility.
- 8.08.050** List of infractions.
- 8.08.060** Very high fire hazard severity zone map.

**8.08.010 Fire Code adopted.**

Except as hereinafter provided in this chapter, the California Fire Code, 2013 Edition, (Part 9 of Title 24 of the California Code of Regulations), based on the 2012 International Fire Code as published by the California Building Standards Commission, including Chapters 1 through 7, Chapters 9 through 11, Chapters 20 through 36, Chapter 48, Chapters 50 through 67, Chapter 80, and Appendices B and C, is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the city of Rancho Palos Verdes. In the event of any conflict between the California Fire Code, 2013 Edition, and any amendment to the Fire Code contained in the Rancho Palos Verdes Municipal Code, the provision contained in the Municipal Code shall control. A copy of the Fire Code shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**8.08.020 Fire Code amended—Fireworks displays.**

A. Notwithstanding the provisions of Section 8.08.010, Section 101.1 is amended to read:

**101.1 Title.** These regulations shall be known as the *Fire Code* of the City of Rancho Palos Verdes, hereinafter referred to as "this code."

B. Notwithstanding the provisions of Section 8.08.010, Section 103.2 is deleted in its entirety.

C. Notwithstanding the provisions of Section 8.08.010, Section 5608.1.2 is added to the Fire Code to read:

**5608.1.2 Displays.** Permits are required from the City to conduct a fireworks display. The City Council shall have the power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by the municipality, fair associations, amusement parks or other organizations. Every such display shall be handled by a competent operator approved by the City Council, and shall be of such character and so located, discharged or fired as in the opinion of the City Council after proper investigation, so as not to be hazardous to property or endanger any person.

Applications for permits shall be made in writing to the Fire Chief not less than thirty days in advance of the date of display or other use. The Fire Chief shall within ten days after receipt of said application make a report and recommendation to the City Council. If the City Council finds that such display can be made without danger or nuisance to the general public, it shall grant the permit; otherwise it shall deny it. If the City Council finds that such display as applied for may create danger or nuisance to the public, but that if displayed subject to conditions may not create such danger or nuisance, it shall grant the permit subject to conditions. After such permit is granted, sale, possession, use and distribution of fireworks for such display subject to the conditions of this Chapter and such other conditions, if any, as may be imposed by the City Council, is lawful for the purpose only for which such permit is granted. In all cases the decision of the City Council shall be final.

D. Notwithstanding the provisions of Section 8.08.010, Section 5608.1.3 is added to read:

**5608.1.3 Insurance.** The permittee shall furnish a certificate of insurance in an amount deemed adequate by the City Council for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors.

The policy shall provide limits of bodily injury and property damage liability of not less than two million dollars (\$2,000,000) combined single limits for each occurrence annually. The policy may have a deductible not to exceed fifteen thousand dollars (\$15,000). A deductible in excess of fifteen thousand dollars (\$15,000) may be permitted provided a security deposit, such as, but not limited to, a surety bond, pledge of assets or bank letter of credit covering the value of the excess is approved by the City Council.

The certificate of insurance shall provide that the insurer will not cancel the insured's coverage without fifteen (15) days prior written notice to the City, that the City shall not be responsible for any premium or assessments on the policy, and that the duly licensed pyrotechnic operator required by law to supervise and discharge the display, acting either as an employee of the insured or as an independent

contractor and the City, its officers, agents, and employees are included as additional insureds, insofar as any operations under this Section are concerned.

**8.08.030 Violations—Penalties.**

A. Every person violating any provision of the Fire Code or of any permit or license granted hereunder, or any rule, regulation or policy promulgated pursuant hereto, is guilty of a misdemeanor unless such violation is otherwise declared to be an infraction by Section 8.08.050 of this chapter. Each such violation is a separate offense for each and every day during any portion of which such violation is committed.

B. Every violation determined to be a misdemeanor hereunder is punishable in such manner and to such extent as is provided by 1.08.010(A) of this Code. Every violation determined to be an infraction hereunder is punishable in such manner and to such extent as is provided by Section 1.08.010(B) of this Code.

C. For the purposes of this section a forfeiture of bail shall be equivalent to a conviction.

**8.08.040 Responsibility.**

Any person who personally or through another willfully, negligently, or in violation of law sets a fire, allows a fire to be set, or allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the chief, or willfully or negligently allows the continuation of a violation of the Fire Code and amendments thereto is liable for the expense of fighting the fire or for the expense incurred during a hazardous materials incident, and such expense shall be a charge against that person. Such charge shall constitute a debt of such person and is collectible by the public agency incurring such expense in the same manner as in the case of an obligation under a contract, expressed or implied.

**8.08.050 List of infractions.**

In accordance with Section 8.08.030 of this chapter, the violation of the following sections or subsections of the Fire Code shall be infractions:

303.1-303.9	Asphalt Kettles
304.1-304.1.3	Waste accumulation prohibited
304.2	Storage
305.2	Hot ashes and spontaneous ignition sources
310.4	"No smoking" signs
315.3.4	Storage under stairways
503.4	Obstructing of fire apparatus access roads
505.1	Address identification
507.5.4-507.5.5	Obstruction of fire hydrants
507.5.6	Physical protection - fire hydrants
605.5	Extension cords
901.7	Systems of service
906.1-906.10	Portable Fire Extinguishers
912.4	Signs
1007.9	Signage

1008.1.9.1	Hardware
1104.3	Exit sign illumination
2003.2	Smoking
2108.4	Portable fire extinguishers
2311.2.2	Waste oil, motor oil and other Class IIIB liquids
2403.2.7	Welding warning signs
2403.4	Operations and maintenance
2403.4.3	Waste cans
2404.7.8.5	Filter disposal
2405.3.4	Dip-tank covers
2405.4.2	Portable fire extinguishers
2406.5	Operation and maintenance
2407.1	General
2407.5.2	Signs
2408.5	Sources of ignition
2505.1	Housekeeping
2803.3.1	Housekeeping
3103.12.6.1	Exit sign illumination
3104.21	Combustible vegetation
3603.2	Sources of ignition
3603.4	Rubbish containers
3604.4	Portable fire extinguishers
4811.9	Fire department access
4811.13	Fire extinguishers
5003.5	Hazardous identification signs
5003.7.1	Smoking
5004.11	Clearance from combustibles
5005.3.8	Clearance from combustibles
5303.4	Marking
5303.5	Security
5704.2.3.1	Smoking and open flame
5704.3.3.4	Empty containers or portable tank storage
6107.2	Smoking and other sources of ignition
6107.3	Clearance to combustibles

**8.08.060 Very high fire hazard severity zone map.**

The city council of the city of Rancho Palos Verdes hereby designates very high fire hazard severity zones, as recommended by the director of the California Department of Forestry and Fire Protection and the county of Los Angeles fire department, as designated on the map entitled Fire Hazard Severity Zone, which are on file in the city's planning, building and code enforcement department."

SECTION 2. Chapter 15.04 of Title 15 of the Rancho Palos Verdes Municipal Code is hereby amended to read:

**"Chapter 15.04**

**BUILDING CODE**

**Sections:**

- 15.04.010 Building Code adopted.**
- 15.04.020 Building Code amended—Administrative provisions.**
- 15.04.030 Building Code amended—Storm drain precautions.**
- 15.04.040 Building Code amended—Specialized foundation requirements.**
- 15.04.050 Building Code amended—Pools and spas.**
- 15.04.070 Renewable energy systems.**
- 15.04.080 Construction indoor air quality.**

**15.04.010 Building Code adopted.**

Except as hereinafter provided, the California Building Code, 2013 Edition (Part 2 of Title 24 of the California Code of Regulations), based on the 2012 International Building Code as published by the International Code Council, including Appendices F and J thereto, the California Residential Code, 2013 Edition (Part 2.5 of Title 24 of the California Code of Regulations), based on the 2012 International Residential Code as published by the International Code Council which incorporates and amends the International Residential Code, the California Green Building Standards Code, 2013 Edition (Part 11 of Title 24 of the California Code of Regulations), as published by the California Building Standards Commission, and Chapter 7A ([For SFM] Materials and Construction Methods for Exterior Wildfire Exposure) of Title 26 (Building Code) of the Los Angeles County Code, are hereby collectively adopted by reference as the Building Code of the city of Rancho Palos Verdes. A copy of the Building Code shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.04.020 Building Code amended—Administrative provisions.**

The administrative provisions governing the Building Code of the City shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this title.

**15.04.030 Building Code amended—Storm drain precautions.**

Notwithstanding the provisions of Section 15.04.010, Section 3314 is added to the Building Code to read:

**SECTION 3314  
STORM DAMAGE PRECAUTIONS**

**3314.1 General.** No grading permit and/or building permit shall be issued for work unless the plans for such work include details of protective measures, including desilting basins or other temporary drainage or control measures, or both, as may be necessary to protect adjoining public and private property from damage by erosion, flooding, or the deposition of mud or debris which may originate from the site or result from such grading operations.

**3314.2 Security required.** A permit shall not be issued for grading involving more than 1000 cubic yards (sum of cut and fill) unless the owner shall first post with the City Engineer security in a form acceptable to the City. The amount of such security shall be based upon the estimated cost of the grading operation including all drainage and other protective devices, as determined by the City

Engineer. The amount of such security shall be equal to 1.1 times the estimated cost of the grading operation and all drainage and protective devices.

**3314.3 Incomplete work.** Where a grading permit and/or building permit is issued and the work is commenced and the Building Official finds the work has or may cause damage or hazard, the owner of the site on which the grading and/or building is being performed shall file or cause to be filed with the Building Official revised plans which include details of the protective measures described in, and in all other respects follow the provisions of, Section 3314.1.

The revised plans required by this section shall be accompanied by an application for plan checking services and plan checking fees equal in amount of fee as set forth in the established fee resolution.

**3314.4 Effect of noncompliance.** Should the owner fail to submit the plans or fail to provide the protective measures required by Sections 3314.1 and 3314.3 by the dates specified therein, it shall cause forfeiture of the grading permit security. Thereupon, the City Engineer may enter the property for the purpose of installing, by City forces or by other means, the drainage and erosion control devices shown on the approved plans, or if there are no approved plans, as he or she may deem necessary to protect adjoining property from storm damage. The cost of such action shall be deducted from the grading permit security. Such a failure shall also constitute a violation of the Building Code and may be prosecuted as provided in Section 15.18.040 of this Title.

**15.04.040 Building Code amended—Specialized foundation requirements.**

Notwithstanding the provisions of Section 15.04.010, Section 1805.5 is added to read:

**1805.5 Major alterations or repairs of existing buildings or structures (excluding demolition and replacement).** This section shall apply only to the active landslide areas of the Portuguese Bend Landslide and the Abalone Cove Landslide, as determined by the City Geologist and depicted on the attached map (see Exhibit "A") and shall not apply in other areas of the City or other portions of the Landslide Moratorium Area. A certificate of occupancy or permit under this title may be issued provided:

1. The Building Official will require a Structural Engineering report and design prepared by a Structural Engineer licensed by the State of California. Material specifications shall be minimum concrete  $f'(c)=4000$  psi, reinforcing steel ASTM A-615 grade 40 or 60, and continuous inspection by a special inspector is required. Alternate materials shall be subject to approval of the Building Official. Prestressed concrete is not permitted without special approval from the Building Official.
2. Every existing building or structure shall have a structural framework designed to distribute the load of the building uniformly over the entire footprint of the building. The structural framework is designed by determining the total weight of the building and dividing that weight by the area of the building. At the discretion of the Building Official, the soil pressure may be considered as a load and the walls and columns may be

considered as reactions. At a minimum, one end bearing wall shall be fixed to the ground by a foundation, at least at one point. All other portions of the structural framework may be supported by adjustable means approved by the Building Official. The structural framework shall be designed to span between all supports.

3. The applicant signs and records with the Los Angeles County Registrar-Recorder a statement in a form approved by the City Attorney that he or she is the owner of the real property and that he or she is aware that the records of the Building Official indicate the property is subject to a physical hazard of a geologic nature.
4. The applicant signs and records an agreement in a form approved by the City Attorney releasing the City and all officers, contract employees, consultants, employees, and agents thereof from any liability for any damage or loss which may result from issuance of such permit.
5. The applicant shall demonstrate that the proposed work on the site or use of the site shall:
  - a. not adversely affect property by accelerating a geologic hazard; and
  - b. have sufficient distance to any other structure to preclude damage in the instance of failure, as determined by the Building Official.
6. The applicant shall identify and correct any deficiencies in on-site drainage and sanitary disposal. If the property is not served by sanitary sewers, the applicant shall submit for recordation a covenant, which is satisfactory to the City Attorney, agreeing to support and participate in existing or future sewer and/or storm drain assessment districts and any other geological and geotechnical hazard abatement measures required by the City. Such covenant shall be submitted to the director prior to the issuance of a building permit.
7. The Building Official shall require a geologic report and geotechnical report. Any such geological reports shall be prepared by a certified engineering geologist licensed by the State of California. Any such geotechnical reports shall be prepared by a registered Civil Engineer or soils engineer who is qualified to perform this work. Every report shall contain a finding regarding the effect of the structure or use upon the geological stability of the site and properties outside of the subject property. When both a geological and a geotechnical report are required for the evaluation, the two reports shall be coordinated before submission to the Building Official.
8. This section shall not be interpreted to supersede or waive any other permit or approval required by the Rancho Palos Verdes Municipal Code, including, without limitation, the provisions of Chapter 15.20.

**15.04.050. Building Code amended—Pools and spas.**

Notwithstanding the provisions of Section 15.04.010, the first sentence of Section 3109.4.1 is amended to read:

The top of the barrier shall be not less than 60 inches (1524 mm) above grade measured on the side of the barrier that faces away from the swimming pool.

**15.04.070. Renewable energy systems.**

A. Notwithstanding the provisions of Section 15.04.010 of this chapter, new homes and major remodels, whereby more than fifty percent of the existing interior and/or exterior walls are removed, shall provide a roof layout plan that illustrates how future installation of a photovoltaic system and/or solar water heating system could be accommodated. The property owner shall only be required to provide for the installation of one system. The following requirements for each system are as follows:

1. Photovoltaic Systems. Installation of conduit leading from an exterior south-facing, east-facing or west-facing roof, where a minimum of four hours of direct sunlight is achieved, to a stubbed junction box next to the electrical panel. All exposed conduit shall be capped and provided with adequate flashing. The conduit shall not be located on or in the direction of a north-facing roof. Roof reinforcements shall be addressed at the time of installation.

2. Solar Water Heating System. Installation of three-fourths inch hot and cold copper water pipes from a south-facing, east-facing or west-facing roof, where a minimum of four hours of direct sunlight can be achieved, to an existing water heater/tank. Both ends of the three-fourths inch copper pipes shall be stubbed out and shall not be located on or in the direction of a north-facing roof. All exposed pipes shall be capped and provided with adequate flashing. Roof reinforcements shall be addressed at the time of installation.

**15.04.080. Construction indoor air quality.**

Notwithstanding the provisions of Section 15.04.010 of this chapter, projects shall provide a construction indoor air quality management plan on construction drawings or in the general notes that shall include protecting ducts during construction and changing the filters and vacuuming ducts prior to occupancy."

SECTION 3. Chapter 15.08 of Title 15 of the Rancho Palos Verdes Municipal Code is hereby amended to read:

**"Chapter 15.08**

**ELECTRICAL CODE**

**Sections:**

**15.08.010 Electrical Code adopted.**

**15.08.020 Electrical Code amended—Administrative provisions.**

**15.08.010 Electrical Code adopted.**

Except as hereinafter provided, the California Electrical Code, 2013 Edition (Part 3 of Title 24 of the California Code of Regulations), which incorporates and amends the National Electrical Code, 2011 Edition, published by the National Fire Protection Association, is hereby adopted by reference as the Electrical Code of the city of Rancho

Palos Verdes. A copy of the Electrical Code of the city shall be maintained in the office of the city clerk, and shall be made available for public inspection while the code is in force.

**15.08.020 Electrical Code amended—Administrative provisions.**

The administrative provisions governing the Electrical Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this title.”

SECTION 4. Chapter 15.12 of Title 15 of the Rancho Palos Verdes Municipal Code is hereby amended to read:

**"Chapter 15.12**

**PLUMBING CODE**

**Sections:**

**15.12.010 Plumbing Code adopted.**

**15.12.020 Plumbing Code amended—Administrative provisions.**

**15.12.01 Plumbing Code adopted.**

Except as hereinafter provided, the California Plumbing Code, 2013 Edition (Part 5 of Title 24 of the California Code of Regulations), which incorporates and amends the Uniform Plumbing Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference as the Plumbing Code of the city of Rancho Palos Verdes. A copy of the Plumbing Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.12.020 Plumbing Code amended—Administrative provisions.**

The administrative provisions governing the Plumbing Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this title.”

SECTION 5. Chapter 15.16 of Title 15 of the Rancho Palos Verdes Municipal Code is amended to read:

**"Chapter 15.16**

**MECHANICAL CODE**

**Sections:**

**15.16.010 Mechanical Code adopted.**

**15.16.020 Mechanical Code amended—Administrative provisions.**

**15.16.010 Mechanical Code adopted.**

Except as hereinafter provided, the California Mechanical Code, 2013 Edition (Part 4 of Title 24 of the California Code of Regulations), which incorporates and

amends the Uniform Mechanical Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference as the Mechanical Code of the city of Rancho Palos Verdes. A copy of the Mechanical Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.16.020 Mechanical Code amended—Administrative provisions.**

The administrative provisions governing the Mechanical Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this title.”

SECTION 6. Chapter 15.18 of Title 15 of the Rancho Palos Verdes Municipal Code is hereby amended to read:

**"Chapter 15.18**

**ADMINISTRATIVE CODE**

**Sections:**

- 15.18.010 Administrative Code adopted.**
- 15.18.020 Administrative Code amended—Liability.**
- 15.18.030 Administrative Code amended—Appeals.**
- 15.18.040 Administrative Code amended—Violations and penalties.**
- 15.18.050 Administrative Code amended—Expiration of permits.**
- 15.18.060 Administrative Code amended—Section 109.2**
- 15.18.070 Administrative Code amended—Required building inspections.**
- 15.18.080 Administrative Code amended—Certificate of occupancy.**
- 15.18.090 Administrative Code amended—Prohibited use of building sites.**
- 15.18.100 Administrative Code amended—Use and occupancy.**
- 15.18.110 Administrative Code amended—Conduct of construction and landscaping activities**
- 15.18.120 Administrative Code amended—Work exempt from permit.**

**15.18.010 Administrative Code adopted.**

Except as hereinafter provided, Division II of Chapter 1 of the California Building Code, 2013 Edition (Part 2 of Title 24 of the California Code of Regulations), based on the 2012 International Building Code as published by the International Code Council, is hereby adopted by reference as the Administrative Code of the city of Rancho Palos Verdes. A copy of the Administrative Code shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.18.020 Administrative Code amended—Liability.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 104.8 is amended to read:

**104.8 Liability.** The building official, or his or her authorized representative charged with the enforcement of this Code and the technical codes, acting in good faith and without malice in the discharge of his or her duties, shall not thereby be rendered personally liable, nor shall the City be vicariously liable, for any damage that may accrue to persons or property as a result of any act or omission or by reason of any act or omission in the discharge of his or her duties.

Any suit brought against the building official or other employee of the City because of such act or omission performed in the enforcement of any provision of such Codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the City shall be defended by the City until final termination of such proceedings, and any judgment resulting therefrom, other than punitive damages, shall be assumed by the City. The provisions of this paragraph shall apply only if the building official, or his or her authorized representative, is an employee of the City.

Such codes shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the City or any of City's agents or employees be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates issued under this Code.

**15.18.030 Administrative Code amended—Appeals.**

Notwithstanding the provisions of Section 15.18 010 of this chapter, Section 113 is amended to read:

**SECTION 113  
APPEALS**

**113.1 General.** In the event that an appeal from a decision of the building official regarding interpretation of the technical codes is requested, the building official shall seek a code interpretation by the appropriate code writing organization. The Building Code shall be interpreted by the International Code Council. The Mechanical Code shall be interpreted by the International Association of Plumbing and Mechanical Officials. The Plumbing Code shall be interpreted by the International Association of Plumbing and Mechanical Officials or its designated agent. The Electrical Code shall be interpreted by the National Fire Protection Association. The interpretation of the code writing organization shall govern. The cost of obtaining the interpretation shall be paid by the applicant.

**15.18.040 Administrative Code amended—Violations and penalties.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Sections 114.1 and 114.4 are amended to read and Section 114.5 is added to read:

**114.1 Violations.** No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or building service equipment or perform any grading in the City or cause or permit the same to be done contrary to, or in violation of, any of the provisions of this code or any of the technical codes.

**114.4 Penalties.** Any person who violates any provision of this code or any of the technical codes shall be deemed guilty of a misdemeanor, and shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation continued or was permitted, and upon conviction is punishable as set forth in Section 1.08.010 of the Rancho Palos Verdes Municipal Code.

**114.5 Penalty fees.** The permit fees and charges made pursuant to Title 15 of the Rancho Palos Verdes Municipal Code shall be tripled, (not including fees for non structural fixture) when work requiring a permit has been started or continued or finished prior to obtaining permit. The triple fee shall be based on the structural permit fee, or square footage of remodel area, or a minimum fee as established pursuant to city council resolution.

**15.18.050 Administrative Code amended—Expiration of permits.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Sections 105.3.2 and 105.5 are amended to read:

**105.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant up to two extensions of time for additional periods not exceeding not exceeding 90 days each. The extension shall be requested in writing and justifiable cause shall be demonstrated.

Plan checks for development projects where permits have expired for a period of less than one year shall be assessed a fee equal to ½ of the amount of the applicable plan check fee, as set forth in the resolution establishing said fee, if the plans that are being resubmitted are identical to the prior plans. Said fee shall be paid when the plans are re-submitted for review by the building official.

**105.5 Expiration.** Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not completed through final inspection within the allowed time from the date of issuance of such *permit*, which time shall be as follows: up to 5,000 square feet, 18 months; 5,000 to 10,000 square feet, 24 months; over 10,000 square feet, 30 months. For good cause, upon initial application for a permit, the building official may establish a different expiration date when it is anticipated such date will be necessary to complete construction due to extenuating circumstances. Upon expiration, before work under the permit can be recommenced, a new permit shall be obtained. Such new permit shall be valid for 24 months, and the fee therefor shall be one half the amount required for a new permit for such work, if no changes have been made or will be made in the original plans and specifications for the work and not more than one year has passed since the expiration of the permit; otherwise, such new permit shall be subject to all terms and conditions applicable to new permits.

Any permittee holding an unexpired permit may apply for an extension of the time within which the permittee may complete work under that permit when the permittee is unable to complete the work within the time required by this section although proceeding with due diligence. Application for extension shall be filed on forms prescribed by the building official and be accompanied by payment of the fee as

established by city council resolution. The building official may extend the time for completion of work under the permit by the permittee for a period of time not exceeding 180 days upon finding the permittee has been proceeding with due diligence and that circumstances beyond the control of the permittee have prevented action from being completed. No permit shall be so extended more than once.

Notwithstanding the foregoing, for any property where construction has been performed pursuant to one or more unexpired permits for a period of at least four years and is adversely affecting adjacent properties or the owners or occupants thereof, as documented in written complaints submitted to the Building Official or Director of Community Development, the Building Official shall not issue a new building permit for any new work or an extension of an existing unexpired permit until all work being performed pursuant to any unexpired building permit has been completed and the City has issued a final approval or a certificate of occupancy therefor. This provision shall not apply to: 1. emergency work; 2. work that is necessary to preserve the integrity of the structure; or 3. work that, in the opinion of the Building Official, will mitigate impacts to an adjacent property.

**15.18.060 Administrative Code amended—Section 109.2.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 109.2 is amended by adding the following sentences to the end of the paragraph:

A site investigation will be conducted and a fee will be charged for the investigation, for permits that have expired two times, or have expired for more than two years, or any other expired permit as required by the building official. The minimum fee shall be as established pursuant to city council resolution.

**15.18.070 Administrative Code amended—Required building inspections.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 110.1 is amended to read:

**110.1 Approval required.** Work shall not be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the building official. Such approval shall be given only after an inspection has been made on each successive step in the construction as indicated in subsection 110.3.

There shall be a final inspection and approval on all buildings, when completed and ready for occupancy, provided however that no such approval shall be given to any new dwelling unit, new commercial building, or new industrial building until there has been full compliance with all requirements of this Code and of Chapter 3.20 of the Rancho Palos Verdes Municipal Code, including payment of the environmental excise tax provided for therein. Upon such compliance, the final inspection approval and certificate of occupancy shall be issued concurrently by the building official.

**15.18.080 Administrative Code amended—Certificate of occupancy.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 111.1 is amended to read:

**111.1 Use and occupancy.** Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or

portion thereof be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

**15.18.090 Administrative Code amended—Prohibited use of building sites.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 107A is added to read:

**SECTION 107A  
GEOTECHNICAL AND GEOLOGICAL HAZARDS**

**107A.1 Offsite geotechnical and geological hazards.** No certificate of occupancy or permit under this title shall be issued under the provisions of this chapter when the building official finds that the proposed work on, or change in use of, the site for which the permit is requested could activate or accelerate a geological or geotechnical hazard that could damage other property.

**107A.2 Geological and geotechnical hazards.** Work requiring a certificate of occupancy or permit under this title is not permitted in an area determined by the building official to be subject to hazard from any variety of landsliding or settlement or slippage except as allowed by Sections 111A.1 through 111A.6. These hazards include, but are not limited to, loose debris, slopewash, and potential mudflows from natural or graded slopes.

**107A.3 Geological and geotechnical reports.** The building official may require a geological or geotechnical report, or both, where, in the building official's opinion, such reports are essential for the proper evaluation of the proposed work or use of the site. As part of this evaluation, the building official may require a site visit in order to evaluate the need for such reports. A fee for this site visit shall be collected at this time. A geological report shall be prepared by a Certified Engineering Geologist licensed by the State of California. A geotechnical report shall be prepared by a registered Civil Engineer qualified to perform this work. Every report shall contain a finding regarding the safety of the site, for the proposed structure or use against hazard from any variety of landsliding or settlement or slippage and a finding regarding the effect the proposed building, grading, and/or construction and use of the site will have on the geological stability of the site and/or property outside the site. When both a geological and a geotechnical report are required for the evaluation of the safety of a building site, the two reports shall be coordinated before submission to the building official.

**15.18.100 Administrative Code amended—Use and occupancy.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Sections 111A, 111B and 111C are added to read:

**SECTION 111A  
USE AND OCCUPANCY**

**111A.1 Safe Site.** Subject to the conditions of subsection 111A.1, a certificate of occupancy or permit under this title may be issued in the following cases:

1. When the applicant has submitted a report(s) required by Section 107A.3 that contains sufficient information to satisfy the building official that all geological or geotechnical hazards will be eliminated prior to use or occupancy of the land or structure by modifications of topography, reduction of subsurface water, buttresses, or by other means or combination of means and that the proposed work on or use of the site will not adversely affect the subject property or neighboring properties.
2. When the applicant has submitted a report(s) required by Section 107A.3 that contains sufficient information to satisfy the building official that the site is not subject to geological or geotechnical hazard.
3. Notwithstanding any provisions of this Subsection, the building official may, at his or her discretion, deny a permit for any building, structure or grading subject to a hazard of a geological nature which cannot be mitigated and may endanger the health or safety of the occupants, adjoining property, or the public.

**111A.2 Hazard Eliminated.** A certificate of occupancy or permit under this title may be issued only if the reports required by Section 107A.3 contain sufficient information to satisfy the building official that all geological or geotechnical hazards will be eliminated, prior to use or occupancy of the land or structure, by modification of topography, reduction of subsurface water, buttresses, or by other means or combination of means sufficient to provide a factor of safety of not less than 1.5.

**111A.3 Pools and Spas.** Subject to the provision of Section 111A.2, a certificate of occupancy or permit under this title may be issued for pools, spas or fish ponds with a capacity less than 2,000 gallons of water provided:

1. The applicant signs and records with the Los Angeles County Registrar-Recorder a statement in a form approved by the City Attorney that he or she is the owner of the real property and that he or she is aware that the records of the building official indicate the property is subject to a physical hazard of a geological nature; and
2. The applicant signs and records an agreement in a form approved the City Attorney releasing the City and all officers, employees, consultants and agents thereof from any liability for any damage or loss which may result from issuance of such permit.

**111A.4 Outdoor Improvements.** Subject to the provisions of Section 111A.2, a certificate of occupancy or permit under this title may be issued for outdoor improvements including, but not limited to, patios, decks or gazebos covering not more than 400 square feet (37.16 m<sup>2</sup>).

**111A.5 Repairs and Alterations in Areas of Potential Geological Hazard.** Subject to the provisions of Section 111A.2, a certificate of occupancy or permit under this title may be issued in the following cases when the applicant seeks only to alter, repair, or replace existing facilities with no change in grade:

1. MINOR ALTERATIONS OR REPAIRS WHICH ARE NOT DUE TO GEOLOGICAL CONDITIONS BUT WHICH MAY BE DUE TO GEOTECHNICAL

CONDITIONS: A certificate of occupancy or permit under this title may be issued when the application is for alteration or repair or both not exceeding twenty-five percent (25%) of the value of the existing structure, where there is no increased water use or enlargement, expansion, or extension of the structure and the alterations or repairs are not required due to damage from a geological hazard.

2. MAJOR ALTERATIONS OR REPAIRS OF CONDITIONS WHICH ARE NOT DUE TO GEOLOGICAL CONDITIONS BUT WHICH MAY BE DUE TO GEOTECHNICAL CONDITIONS: Subject to the conditions set forth in Section 111A.2, a certificate of occupancy or permit under this title may be issued when the application is for alteration or repair work exceeding twenty-five percent (25%) of the value of the existing structure, where there is no increased water use or enlargement, expansion, or extension of the structure and the alterations or repairs are not required due to damage from a geological hazard.
3. MINOR REPAIRS OF CONDITIONS DUE TO UNDERLYING GEOLOGIC CONDITIONS: Subject to the conditions set forth in Section 111A.2, a certificate of occupancy or permit under this title may be issued when the application is for repair work not exceeding twenty-five percent (25%) of the value of the existing structure, where there is no increased water use or enlargement, expansion, or extension of the structure and repairs are required due to damage from a geological hazard.

**111A.6 Expert Advice.** In carrying out his or her duties pursuant to this chapter, the building official may consult with and rely upon the advice of a certified engineering geologist, geotechnical engineer, or other person with relevant expertise.

#### **SECTION 111B FILLS CONTAINING DECOMPOSABLE MATERIAL**

**111B.1** Building or grading permits shall not be issued for buildings or structures regulated by this code located within 1,000 feet (304 800 mm) of fills containing rubbish or other decomposable material unless the fill is isolated by approved natural or man-made protective systems or unless designed according to the recommendation contained in a report prepared by a licensed civil engineer. Such report shall contain a description of the investigation, study and recommendation to minimize the possible intrusion, and to prevent the accumulation, of explosive concentrations of decomposition gases within or under enclosed portions of such buildings or structures. At the time of the final inspection, a licensed civil engineer shall furnish a signed statement attesting that the building or structure has been constructed in accordance with his or her recommendations as to decomposition gases.

**111B.2** Buildings or structures regulated by this code shall not be constructed on fills containing rubbish or other decomposable material unless provision is made to prevent damage to structures, floors, underground piping, and utilities due to uneven settlement of the fill.

#### **SECTION 111C FLOOD HAZARDS**

**111C.1** Buildings are not permitted in an area determined to be subject to flood hazard by reason of inundation, overflow, or erosion.

**111C.2** Buildings and other structures shall be placed on a site so that water or mud flow will not be a hazard to the building or structure or to adjacent property.

**111C.3** Minor structures that do not require a permit and are not intended for human habitation such as fences, trellises, patios, decks and sheds may be placed in flood hazard areas provided:

1. Such placement will not increase the hazard to adjacent property from inundation, erosion, or related causes;
2. Prior to issuance of a permit for such minor structure the owner shall sign and record with the Los Angeles County Registrar-Recorder a statement in a form approved by the City Attorney that the applicant is the owner of the property and is aware that the records of the Building Official indicate that the property is subject to flood hazard by reason of inundation, overflow, or erosion; and
3. The applicant signs and records an agreement in a form approved by the City Attorney releasing the City and all officers, employees, and agents thereof from any liability for damage or loss which may result from issuance of such permit including damage to the minor structure authorized by the permit.

**15.18.110 Administrative Code amended—Conduct of construction and landscaping activities.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, all construction projects in the city shall adhere to the regulations for dust control, hours of operation temporary construction fencing, construction site maintenance, construction related cargo containers and construction vehicle staging set forth in Section 17.56.020 of the city of Rancho Palos Verdes Municipal Code.

**15.18.120 Administrative Code amended—Work exempt from permit.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Paragraph No. 2 under the heading "Building" in Section 105.2 is amended to read:

2. Fences not over 7 feet (2134 mm) high, provided the fences meet the requirements of Section 17.76.030.B of the Rancho Palos Verdes Municipal Code."

**SECTION 7.** Chapter 15.24 of Title 15 of the Rancho Palos Verdes Municipal Code is amended to read:

## "Chapter 15.24

### DANGEROUS BUILDING CODE

#### Sections:

**15.24.010 Dangerous Building Code adopted.**

**15.24.020 Dangerous Building Code amended—Administrative provisions.**

#### **15.24.010 Dangerous Building Code adopted.**

Except as hereinafter provided, the Uniform Code for the Abatement of Dangerous Buildings Code 1997 Edition, published by the International Code Council, is hereby adopted by reference as the Dangerous Buildings Code of the city of Rancho Palos Verdes. A copy of the Dangerous Buildings Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

#### **15.24.020 Dangerous Building Code amended—Administrative provisions.**

The administrative provisions governing the Dangerous Buildings Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this Title."

SECTION 8. Chapter 15.28 of Title 15 of the Rancho Palos Verdes Municipal Code is amended to read:

## "Chapter 15.28

### HOUSING CODE

#### Sections:

**15.28.010 Housing Code adopted.**

**15.28.020 Housing Code amended—Administrative provisions.**

#### **15.28.010 Housing Code adopted.**

Except as hereinafter provided, the Uniform Housing Code, 1997 Edition, and the International Property Maintenance Code, 2012 Edition, published by the International Code Council, are hereby collectively adopted by reference as the Housing Code of the city of Rancho Palos Verdes. A copy of the Housing Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

#### **15.28.020 Housing Code amended—Administrative provisions.**

The administrative provisions governing the Housing Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this Title."

SECTION 9. All inconsistencies between the Building Code, Residential Code, Green Building Standards Code, Electrical Code, Mechanical Code, Plumbing Code, and Fire Code, as adopted by this Urgency Ordinance, and the 2013 edition of the California Building Code, Residential Code, Green Building Standards Code, Electrical Code, Mechanical Code,

Plumbing Code, and Fire Code, as set forth in Parts 2, 2.5, 3, 4, 5, 9 and 11 respectively, of Title 24 of the California Code of Regulations, are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Sections 17958.5 and 17958.7.

SECTION 10. To the extent the provisions of this Urgency Ordinance are substantially the same as previous provisions of the Rancho Palos Verdes Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

SECTION 11. Urgency Declaration. The City Council finds that it is necessary, for the immediate preservation of the public health, safety and welfare, that this Urgency Ordinance take effect immediately. In the absence of immediate effectiveness, the 2013 Editions of the California Building Residential, Electrical, Mechanical, Plumbing, Fire and Green Building Standards Codes (the "Codes") will take effect on January 1, 2014, while the local amendments to the 2013 Editions of the California Building and Fire Codes adopted herein and providing greater protection to the public health, safety and welfare, will not become effective until after said date, unless the Codes and amendments thereto, as set forth herein, are adopted by urgency ordinance. Such a delay in adoption of more protective building standards, which are primarily designed to protect the health, safety and welfare of persons within the City of Rancho Palos Verdes, would result in less stringent building standards being operative and would constitute an immediate threat to the public health, safety and welfare until the new standards take effect. Therefore, the City Council adopts this Ordinance as an urgency ordinance, effective immediately and operative as of 12:00 a.m. on January 1, 2014.

SECTION 12. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Urgency Ordinance or any part hereof or exhibit hereto is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Urgency Ordinance or any part thereof or exhibit thereto. The City Council of the City of Rancho Palos Verdes hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

SECTION 13. The City Clerk shall certify to the adoption of this Urgency Ordinance and shall cause a copy hereof to be forthwith transmitted to the California Building Standards Commission.

PASSED, APPROVED AND ADOPTED THIS 17<sup>th</sup> DAY OF DECEMBER, 2013.

/s/ Jerry V. Duhovic  
Mayor

Attest:

/s/ Carla Morreale  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES )ss  
CITY OF RANCHO PALOS VERDES )

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole number of members of the City Council of said City is five; the foregoing Urgency Ordinance No. 554U was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on December 17, 2013, and that the same was passed and adopted by the following roll call vote:

Ayes: Brooks, Campbell, Knight, Misetich and Mayor Duhovic  
Noes: None  
Absent: None  
Abstain: None



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City Clerk

**ORDINANCE NO. 551**

**AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING, RESIDENTIAL, GREEN BUILDING STANDARDS, PLUMBING, ELECTRICAL, MECHANICAL AND FIRE CODES, WHICH ARE CODIFIED IN TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, CHAPTER 7A OF TITLE 26 OF THE LOS ANGELES COUNTY CODE, THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS 1997 EDITION, THE UNIFORM HOUSING CODE 1997 EDITION, AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, WITH APPENDICES AND AMENDMENTS THERETO; AND AMENDING THE RANCHO PALOS VERDES MUNICIPAL CODE.**

THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.08 of Title 8 of the Rancho Palos Verdes Municipal Code is hereby amended to read as follows:

**“Chapter 8.08**

**FIRE CODE**

**Sections:**

- 8.08.010 Fire Code adopted.**
- 8.08.020 Fire Code amended—Fireworks displays.**
- 8.08.030 Violations—Penalties.**
- 8.08.040 Responsibility.**
- 8.08.050 List of infractions.**
- 8.08.060 Very high fire hazard severity zone map.**

**8.08.010 Fire Code adopted.**

Except as hereinafter provided in this chapter, the California Fire Code, 2013 Edition, (Part 9 of Title 24 of the California Code of Regulations), based on the 2012 International Fire Code as published by the California Building Standards Commission, including Chapters 1 through 7, Chapters 9 through 11, Chapters 20 through 36, Chapter 48, Chapters 50 through 67, Chapter 80, and Appendices B and C, is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the city of Rancho Palos Verdes. In the event of any conflict between the California Fire Code, 2013 Edition, and any amendment to the Fire Code contained in the Rancho Palos Verdes Municipal Code, the provision contained in the Municipal Code shall control. A copy of the Fire Code shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**8.08.020 Fire Code amended—Fireworks displays.**

A. Notwithstanding the provisions of Section 8.08.010, Section 101.1 is amended to read:

**101.1 Title.** These regulations shall be known as the *Fire Code* of the City of Rancho Palos Verdes, hereinafter referred to as “this code.”

B. Notwithstanding the provisions of Section 8.08.010, Section 103.2 is deleted in its entirety.

C. Notwithstanding the provisions of Section 8.08.010, Section 5608.1.2 is added to the Fire Code to read:

**5608.1.2 Displays.** Permits are required from the City to conduct a fireworks display. The City Council shall have the power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by the municipality, fair associations, amusement parks or other organizations. Every such display shall be handled by a competent operator approved by the City Council, and shall be of such character and so located, discharged or fired as in the opinion of the City Council after proper investigation, so as not to be hazardous to property or endanger any person.

Applications for permits shall be made in writing to the Fire Chief not less than thirty days in advance of the date of display or other use. The Fire Chief shall within ten days after receipt of said application make a report and recommendation to the City Council. If the City Council finds that such display can be made without danger or nuisance to the general public, it shall grant the permit; otherwise it shall deny it. If the City Council finds that such display as applied for may create danger or nuisance to the public, but that if displayed subject to conditions may not create such danger or nuisance, it shall grant the permit subject to conditions. After such permit is granted, sale, possession, use and distribution of fireworks for such display subject to the conditions of this Chapter and such other conditions, if any, as may be imposed by the City Council, is lawful for the purpose only for which such permit is granted. In all cases the decision of the City Council shall be final.

D. Notwithstanding the provisions of Section 8.08.010, Section 5608.1.3 is added to read:

**5608.1.3 Insurance.** The permittee shall furnish a certificate of insurance in an amount deemed adequate by the City Council for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors.

The policy shall provide limits of bodily injury and property damage liability of not less than two million dollars (\$2,000,000) combined single limits for each occurrence annually. The policy may have a deductible not to exceed fifteen thousand dollars (\$15,000). A deductible in excess of fifteen thousand dollars (\$15,000) may be permitted provided a security deposit, such as, but not limited to, a surety bond, pledge of assets or bank letter of credit covering the value of the excess is approved by the City Council.

The certificate of insurance shall provide that the insurer will not cancel the insured's coverage without fifteen (15) days prior written notice to the City, that the City shall not be responsible for any premium or assessments on the policy, and that the duly licensed pyrotechnic operator required by law to supervise and discharge the display, acting either as an employee of the insured or as an independent

contractor and the City, its officers, agents, and employees are included as additional insureds, insofar as any operations under this Section are concerned.

**8.08.030 Violations—Penalties.**

A. Every person violating any provision of the Fire Code or of any permit or license granted hereunder, or any rule, regulation or policy promulgated pursuant hereto, is guilty of a misdemeanor unless such violation is otherwise declared to be an infraction by Section 8.08.050 of this chapter. Each such violation is a separate offense for each and every day during any portion of which such violation is committed.

B. Every violation determined to be a misdemeanor hereunder is punishable in such manner and to such extent as is provided by 1.08.010(A) of this Code. Every violation determined to be an infraction hereunder is punishable in such manner and to such extent as is provided by Section 1.08.010(B) of this Code.

C. For the purposes of this section a forfeiture of bail shall be equivalent to a conviction.

**8.08.040 Responsibility.**

Any person who personally or through another willfully, negligently, or in violation of law sets a fire, allows a fire to be set, or allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the chief, or willfully or negligently allows the continuation of a violation of the Fire Code and amendments thereto is liable for the expense of fighting the fire or for the expense incurred during a hazardous materials incident, and such expense shall be a charge against that person. Such charge shall constitute a debt of such person and is collectible by the public agency incurring such expense in the same manner as in the case of an obligation under a contract, expressed or implied.

**8.08.050 List of infractions.**

In accordance with Section 8.08.030 of this chapter, the violation of the following sections or subsections of the Fire Code shall be infractions:

303.1-303.9	Asphalt Kettles
304.1-304.1.3	Waste accumulation prohibited
304.2	Storage
305.2	Hot ashes and spontaneous ignition sources
310.4	"No smoking" signs
315.3.4	Storage under stairways
503.4	Obstructing of fire apparatus access roads
505.1	Address identification
507.5.4-507.5.5	Obstruction of fire hydrants
507.5.6	Physical protection - fire hydrants
605.5	Extension cords
901.7	Systems of service
906.1-906.10	Portable Fire Extinguishers
912.4	Signs
1007.9	Signage

1008.1.9.1	Hardware
1104.3	Exit sign illumination
2003.2	Smoking
2108.4	Portable fire extinguishers
2311.2.2	Waste oil, motor oil and other Class IIIB liquids
2403.2.7	Welding warning signs
2403.4	Operations and maintenance
2403.4.3	Waste cans
2404.7.8.5	Filter disposal
2405.3.4	Dip-tank covers
2405.4.2	Portable fire extinguishers
2406.5	Operation and maintenance
2407.1	General
2407.5.2	Signs
2408.5	Sources of ignition
2505.1	Housekeeping
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3103.12.6.1	Exit sign illumination
3104.21	Combustible vegetation
3603.2	Sources of ignition
3603.4	Rubbish containers
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4811.9	Fire department access
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5003.5	Hazardous identification signs
5003.7.1	Smoking
5004.11	Clearance from combustibles
5005.3.8	Clearance from combustibles
5303.4	Marking
5303.5	Security
5704.2.3.1	Smoking and open flame
5704.3.3.4	Empty containers or portable tank storage
6107.2	Smoking and other sources of ignition
6107.3	Clearance to combustibles

**8.08.060 Very high fire hazard severity zone map.**

The city council of the city of Rancho Palos Verdes hereby designates very high fire hazard severity zones, as recommended by the director of the California Department of Forestry and Fire Protection and the county of Los Angeles fire department, as designated on the map entitled Fire Hazard Severity Zone, which are on file in the city's planning, building and code enforcement department."

SECTION 2. Chapter 15.04 of Title 15 of the Rancho Palos Verdes Municipal Code is hereby amended to read:

**"Chapter 15.04**

**BUILDING CODE**

**Sections:**

- 15.04.010 Building Code adopted.**
- 15.04.020 Building Code amended—Administrative provisions.**
- 15.04.030 Building Code amended—Storm drain precautions.**
- 15.04.040 Building Code amended—Specialized foundation requirements.**
- 15.04.050 Building Code amended—Pools and spas.**
- 15.04.070 Renewable energy systems.**
- 15.04.080 Construction indoor air quality.**

**15.04.010 Building Code adopted.**

Except as hereinafter provided, the California Building Code, 2013 Edition (Part 2 of Title 24 of the California Code of Regulations), based on the 2012 International Building Code as published by the International Code Council, including Appendices F and J thereto, the California Residential Code, 2013 Edition (Part 2.5 of Title 24 of the California Code of Regulations), based on the 2012 International Residential Code as published by the International Code Council which incorporates and amends the International Residential Code, the California Green Building Standards Code, 2013 Edition (Part 11 of Title 24 of the California Code of Regulations), as published by the California Building Standards Commission, and Chapter 7A ([For SFM] Materials and Construction Methods for Exterior Wildfire Exposure) of Title 26 (Building Code) of the Los Angeles County Code, are hereby collectively adopted by reference as the Building Code of the city of Rancho Palos Verdes. A copy of the Building Code shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.04.020 Building Code amended—Administrative provisions.**

The administrative provisions governing the Building Code of the City shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this title.

**15.04.030 Building Code amended—Storm drain precautions.**

Notwithstanding the provisions of Section 15.04.010, Section 3314 is added to the Building Code to read:

**SECTION 3314  
STORM DAMAGE PRECAUTIONS**

**3314.1 General.** No grading permit and/or building permit shall be issued for work unless the plans for such work include details of protective measures, including desilting basins or other temporary drainage or control measures, or both, as may be necessary to protect adjoining public and private property from damage by erosion, flooding, or the deposition of mud or debris which may originate from the site or result from such grading operations.

**3314.2 Security required.** A permit shall not be issued for grading involving more than 1000 cubic yards (sum of cut and fill) unless the owner shall first post with the City Engineer security in a form acceptable to the City. The amount of such security shall be based upon the estimated cost of the grading operation including all drainage and other protective devices, as determined by the City

Engineer. The amount of such security shall be equal to 1.1 times the estimated cost of the grading operation and all drainage and protective devices.

**3314.3 Incomplete work.** Where a grading permit and/or building permit is issued and the work is commenced and the Building Official finds the work has or may cause damage or hazard, the owner of the site on which the grading and/or building is being performed shall file or cause to be filed with the Building Official revised plans which include details of the protective measures described in, and in all other respects follow the provisions of, Section 3314.1.

The revised plans required by this section shall be accompanied by an application for plan checking services and plan checking fees equal in amount of fee as set forth in the established fee resolution.

**3314.4 Effect of noncompliance.** Should the owner fail to submit the plans or fail to provide the protective measures required by Sections 3314.1 and 3314.3 by the dates specified therein, it shall cause forfeiture of the grading permit security. Thereupon, the City Engineer may enter the property for the purpose of installing, by City forces or by other means, the drainage and erosion control devices shown on the approved plans, or if there are no approved plans, as he or she may deem necessary to protect adjoining property from storm damage. The cost of such action shall be deducted from the grading permit security. Such a failure shall also constitute a violation of the Building Code and may be prosecuted as provided in Section 15.18.040 of this Title.

**15.04.040 Building Code amended—Specialized foundation requirements.**

Notwithstanding the provisions of Section 15.04.010, Section 1805.5 is added to read:

**1805.5 Major alterations or repairs of existing buildings or structures (excluding demolition and replacement).** This section shall apply only to the active landslide areas of the Portuguese Bend Landslide and the Abalone Cove Landslide, as determined by the City Geologist and depicted on the attached map (see Exhibit "A") and shall not apply in other areas of the City or other portions of the Landslide Moratorium Area. A certificate of occupancy or permit under this title may be issued provided:

1. The Building Official will require a Structural Engineering report and design prepared by a Structural Engineer licensed by the State of California. Material specifications shall be minimum concrete  $f(c)=4000$  psi, reinforcing steel ASTM A-615 grade 40 or 60, and continuous inspection by a special inspector is required. Alternate materials shall be subject to approval of the Building Official. Prestressed concrete is not permitted without special approval from the Building Official.
2. Every existing building or structure shall have a structural framework designed to distribute the load of the building uniformly over the entire footprint of the building. The structural framework is designed by determining the total weight of the building and dividing that weight by the area of the building. At the discretion of the Building Official, the soil

pressure may be considered as a load and the walls and columns may be considered as reactions. At a minimum, one end bearing wall shall be fixed to the ground by a foundation, at least at one point. All other portions of the structural framework may be supported by adjustable means approved by the Building Official. The structural framework shall be designed to span between all supports.

3. The applicant signs and records with the Los Angeles County Registrar-Recorder a statement in a form approved by the City Attorney that he or she is the owner of the real property and that he or she is aware that the records of the Building Official indicate the property is subject to a physical hazard of a geologic nature.
4. The applicant signs and records an agreement in a form approved by the City Attorney releasing the City and all officers, contract employees, consultants, employees, and agents thereof from any liability for any damage or loss which may result from issuance of such permit.
5. The applicant shall demonstrate that the proposed work on the site or use of the site shall:
  - a. not adversely affect property by accelerating a geologic hazard;  
and
  - b. have sufficient distance to any other structure to preclude damage in the instance of failure, as determined by the Building Official.
6. The applicant shall identify and correct any deficiencies in on-site drainage and sanitary disposal. If the property is not served by sanitary sewers, the applicant shall submit for recordation a covenant, which is satisfactory to the City Attorney, agreeing to support and participate in existing or future sewer and/or storm drain assessment districts and any other geological and geotechnical hazard abatement measures required by the City. Such covenant shall be submitted to the director prior to the issuance of a building permit.
7. The Building Official shall require a geologic report and geotechnical report. Any such geological reports shall be prepared by a certified engineering geologist licensed by the State of California. Any such geotechnical reports shall be prepared by a registered Civil Engineer or soils engineer who is qualified to perform this work. Every report shall contain a finding regarding the effect of the structure or use upon the geological stability of the site and properties outside of the subject property. When both a geological and a geotechnical report are required for the evaluation, the two reports shall be coordinated before submission to the Building Official.
8. This section shall not be interpreted to supersede or waive any other permit or approval required by the Rancho Palos Verdes Municipal Code, including, without limitation, the provisions of Chapter 15.20.

**15.04.050. Building Code amended—Pools and spas.**

Notwithstanding the provisions of Section 15.04.010, the first sentence of Section 3109.4.1 is amended to read:

The top of the barrier shall be not less than 60 inches (1524 mm) above grade measured on the side of the barrier that faces away from the swimming pool.

**15.04.070. Renewable energy systems.**

A. Notwithstanding the provisions of Section 15.04.010 of this chapter, new homes and major remodels, whereby more than fifty percent of the existing interior and/or exterior walls are removed, shall provide a roof layout plan that illustrates how future installation of a photovoltaic system and/or solar water heating system could be accommodated. The property owner shall only be required to provide for the installation of one system. The following requirements for each system are as follows:

1. Photovoltaic Systems. Installation of conduit leading from an exterior south-facing, east-facing or west-facing roof, where a minimum of four hours of direct sunlight is achieved, to a stubbed junction box next to the electrical panel. All exposed conduit shall be capped and provided with adequate flashing. The conduit shall not be located on or in the direction of a north-facing roof. Roof reinforcements shall be addressed at the time of installation.

2. Solar Water Heating System. Installation of three-fourths inch hot and cold copper water pipes from a south-facing, east-facing or west-facing roof, where a minimum of four hours of direct sunlight can be achieved, to an existing water heater/tank. Both ends of the three-fourths inch copper pipes shall be stubbed out and shall not be located on or in the direction of a north-facing roof. All exposed pipes shall be capped and provided with adequate flashing. Roof reinforcements shall be addressed at the time of installation.

**15.04.080. Construction indoor air quality.**

Notwithstanding the provisions of Section 15.04.010 of this chapter, projects shall provide a construction indoor air quality management plan on construction drawings or in the general notes that shall include protecting ducts during construction and changing the filters and vacuuming ducts prior to occupancy."

SECTION 3. Chapter 15.08 of Title 15 of the Rancho Palos Verdes Municipal Code is hereby amended to read:

**"Chapter 15.08**

**ELECTRICAL CODE**

**Sections:**

**15.08.010 Electrical Code adopted.**

**15.08.020 Electrical Code amended—Administrative provisions.**

**15.08.010 Electrical Code adopted.**

Except as hereinafter provided, the California Electrical Code, 2013 Edition (Part 3 of Title 24 of the California Code of Regulations), which incorporates and amends the National Electrical Code, 2011 Edition, published by the National Fire Protection

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Association, is hereby adopted by reference as the Electrical Code of the city of Rancho Palos Verdes. A copy of the Electrical Code of the city shall be maintained in the office of the city clerk, and shall be made available for public inspection while the code is in force.

**15.08.020 Electrical Code amended—Administrative provisions.**

The administrative provisions governing the Electrical Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this title.”

SECTION 4. Chapter 15.12 of Title 15 of the Rancho Palos Verdes Municipal Code is hereby amended to read:

**"Chapter 15.12**

**PLUMBING CODE**

**Sections:**

- 15.12.010 Plumbing Code adopted.**
- 15.12.020 Plumbing Code amended—Administrative provisions.**

**15.12.01 Plumbing Code adopted.**

Except as hereinafter provided, the California Plumbing Code, 2013 Edition (Part 5 of Title 24 of the California Code of Regulations), which incorporates and amends the Uniform Plumbing Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference as the Plumbing Code of the city of Rancho Palos Verdes. A copy of the Plumbing Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.12.020 Plumbing Code amended—Administrative provisions.**

The administrative provisions governing the Plumbing Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this title.”

SECTION 5. Chapter 15.16 of Title 15 of the Rancho Palos Verdes Municipal Code is amended to read:

**"Chapter 15.16**

**MECHANICAL CODE**

**Sections:**

- 15.16.010 Mechanical Code adopted.**
- 15.16.020 Mechanical Code amended—Administrative provisions.**
  
- 15.16.010 Mechanical Code adopted.**

Except as hereinafter provided, the California Mechanical Code, 2013 Edition (Part 4 of Title 24 of the California Code of Regulations), which incorporates and amends the Uniform Mechanical Code, 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference as the Mechanical Code of the city of Rancho Palos Verdes. A copy of the Mechanical Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.16.020 Mechanical Code amended—Administrative provisions.**

The administrative provisions governing the Mechanical Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this title.”

SECTION 6. Chapter 15.18 of Title 15 of the Rancho Palos Verdes Municipal Code is hereby amended to read:

**"Chapter 15.18**

**ADMINISTRATIVE CODE**

**Sections:**

- 15.18.010 Administrative Code adopted.**
- 15.18.020 Administrative Code amended—Liability.**
- 15.18.030 Administrative Code amended—Appeals.**
- 15.18.040 Administrative Code amended—Violations and penalties.**
- 15.18.050 Administrative Code amended—Expiration of permits.**
- 15.18.060 Administrative Code amended—Section 109.2**
- 15.18.070 Administrative Code amended—Required building inspections.**
- 15.18.080 Administrative Code amended—Certificate of occupancy.**
- 15.18.090 Administrative Code amended—Prohibited use of building sites.**
- 15.18.100 Administrative Code amended—Use and occupancy.**
- 15.18.110 Administrative Code amended—Conduct of construction and landscaping activities**
- 15.18.120 Administrative Code amended—Work exempt from permit.**

**15.18.010 Administrative Code adopted.**

Except as hereinafter provided, Division II of Chapter 1 of the California Building Code, 2013 Edition (Part 2 of Title 24 of the California Code of Regulations), based on the 2012 International Building Code as published by the International Code Council, is hereby adopted by reference as the Administrative Code of the city of Rancho Palos Verdes. A copy of the Administrative Code shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.18.020 Administrative Code amended—Liability.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 104.8 is amended to read:

**104.8 Liability.** The building official, or his or her authorized representative charged with the enforcement of this Code and the technical codes, acting in good faith and without malice in the discharge of his or her duties, shall not thereby be rendered personally liable, nor shall the City be vicariously liable, for any damage that may accrue to persons or property as a result of any act or omission or by reason of any act or omission in the discharge of his or her duties.

Any suit brought against the building official or other employee of the City because of such act or omission performed in the enforcement of any provision of such Codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the City shall be defended by the City until final termination of such proceedings, and any judgment resulting therefrom, other than punitive damages, shall be assumed by the City. The provisions of this paragraph shall apply only if the building official, or his or her authorized representative, is an employee of the City.

Such codes shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the City or any of City's agents or employees be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates issued under this Code.

**15.18.030 Administrative Code amended—Appeals.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 113 is amended to read:

**SECTION 113  
APPEALS**

**113.1 General.** In the event that an appeal from a decision of the building official regarding interpretation of the technical codes is requested, the building official shall seek a code interpretation by the appropriate code writing organization. The Building Code shall be interpreted by the International Code Council. The Mechanical Code shall be interpreted by the International Association of Plumbing and Mechanical Officials. The Plumbing Code shall be interpreted by the International Association of Plumbing and Mechanical Officials or its designated agent. The Electrical Code shall be interpreted by the National Fire Protection Association. The interpretation of the code writing organization shall govern. The cost of obtaining the interpretation shall be paid by the applicant.

**15.18.040 Administrative Code amended—Violations and penalties.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Sections 114.1 and 114.4 are amended to read and Section 114.5 is added to read:

**114.1 Violations.** No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or building service equipment or perform any grading in the City or cause or permit the same to be done contrary to, or in violation of, any of the provisions of this code or any of the technical codes.

**114.4 Penalties.** Any person who violates any provision of this code or any of the technical codes shall be deemed guilty of a misdemeanor, and shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation continued or was permitted, and upon conviction is punishable as set forth in Section 1.08.010 of the Rancho Palos Verdes Municipal Code.

**114.5 Penalty fees.** The permit fees and charges made pursuant to Title 15 of the Rancho Palos Verdes Municipal Code shall be tripled, (not including fees for non structural fixture) when work requiring a permit has been started or continued or finished prior to obtaining permit. The triple fee shall be based on the structural permit fee, or square footage of remodel area, or a minimum fee as established pursuant to city council resolution.

**15.18.050 Administrative Code amended—Expiration of permits.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Sections 105.3.2 and 105.5 are amended to read:

**105.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant up to two extensions of time for additional periods not exceeding not exceeding 90 days each. The extension shall be requested in writing and justifiable cause shall be demonstrated.

Plan checks for development projects where permits have expired for a period of less than one year shall be assessed a fee equal to ½ of the amount of the applicable plan check fee, as set forth in the resolution establishing said fee, if the plans that are being resubmitted are identical to the prior plans. Said fee shall be paid when the plans are re-submitted for review by the building official.

**105.5 Expiration.** Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not completed through final inspection within the allowed time from the date of issuance of such *permit*, which time shall be as follows: up to 5,000 square feet, 18 months; 5,000 to 10,000 square feet, 24 months; over 10,000 square feet, 30 months. For good cause, upon initial application for a permit, the building official may establish a different expiration date when it is anticipated such date will be necessary to complete construction due to extenuating circumstances. Upon expiration, before work under the permit can be recommenced, a new permit shall be obtained. Such new permit shall be valid for 24 months, and the fee therefor shall be one half the amount required for a new permit for such work, if no changes have been made or will be made in the original plans and specifications for the work and not more than one year has passed since the expiration of the permit; otherwise, such new permit shall be subject to all terms and conditions applicable to new permits.

Any permittee holding an unexpired permit may apply for an extension of the time within which the permittee may complete work under that permit when the permittee is unable to complete the work within the time required by this section although proceeding with due diligence. Application for extension shall be filed on forms

prescribed by the building official and be accompanied by payment of the fee as established by city council resolution. The building official may extend the time for completion of work under the permit by the permittee for a period of time not exceeding 180 days upon finding the permittee has been proceeding with due diligence and that circumstances beyond the control of the permittee have prevented action from being completed. No permit shall be so extended more than once.

Notwithstanding the foregoing, for any property where construction has been performed pursuant to one or more unexpired permits for a period of at least four years and is adversely affecting adjacent properties or the owners or occupants thereof, as documented in written complaints submitted to the Building Official or Director of Community Development, the Building Official shall not issue a new building permit for any new work or an extension of an existing unexpired permit until all work being performed pursuant to any unexpired building permit has been completed and the City has issued a final approval or a certificate of occupancy therefor. This provision shall not apply to: 1. emergency work; 2. work that is necessary to preserve the integrity of the structure; or 3. work that, in the opinion of the Building Official, will mitigate impacts to an adjacent property.

**15.18.060 Administrative Code amended—Section 109.2.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 109.2 is amended by adding the following sentences to the end of the paragraph:

A site investigation will be conducted and a fee will be charged for the investigation, for permits that have expired two times, or have expired for more than two years, or any other expired permit as required by the building official. The minimum fee shall be as established pursuant to city council resolution.

**15.18.070 Administrative Code amended—Required building inspections.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 110.1 is amended to read:

**110.1 Approval required.** Work shall not be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the building official. Such approval shall be given only after an inspection has been made on each successive step in the construction as indicated in subsection 110.3.

There shall be a final inspection and approval on all buildings, when completed and ready for occupancy, provided however that no such approval shall be given to any new dwelling unit, new commercial building, or new industrial building until there has been full compliance with all requirements of this Code and of Chapter 3.20 of the Rancho Palos Verdes Municipal Code, including payment of the environmental excise tax provided for therein. Upon such compliance, the final inspection approval and certificate of occupancy shall be issued concurrently by the building official.

**15.18.080 Administrative Code amended—Certificate of occupancy.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 111.1 is amended to read:

**111.1 Use and occupancy.** Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

**15.18.090 Administrative Code amended—Prohibited use of building sites.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Section 107A is added to read:

**SECTION 107A  
GEOTECHNICAL AND GEOLOGICAL HAZARDS**

**107A.1 Offsite geotechnical and geological hazards.** No certificate of occupancy or permit under this title shall be issued under the provisions of this chapter when the building official finds that the proposed work on, or change in use of, the site for which the permit is requested could activate or accelerate a geological or geotechnical hazard that could damage other property.

**107A.2 Geological and geotechnical hazards.** Work requiring a certificate of occupancy or permit under this title is not permitted in an area determined by the building official to be subject to hazard from any variety of landsliding or settlement or slippage except as allowed by Sections 111A.1 through 111A.6. These hazards include, but are not limited to, loose debris, slopewash, and potential mudflows from natural or graded slopes.

**107A.3 Geological and geotechnical reports.** The building official may require a geological or geotechnical report, or both, where, in the building official's opinion, such reports are essential for the proper evaluation of the proposed work or use of the site. As part of this evaluation, the building official may require a site visit in order to evaluate the need for such reports. A fee for this site visit shall be collected at this time. A geological report shall be prepared by a Certified Engineering Geologist licensed by the State of California. A geotechnical report shall be prepared by a registered Civil Engineer qualified to perform this work. Every report shall contain a finding regarding the safety of the site, for the proposed structure or use against hazard from any variety of landsliding or settlement or slippage and a finding regarding the effect the proposed building, grading, and/or construction and use of the site will have on the geological stability of the site and/or property outside the site. When both a geological and a geotechnical report are required for the evaluation of the safety of a building site, the two reports shall be coordinated before submission to the building official.

**15.18.100 Administrative Code amended—Use and occupancy.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Sections 111A, 111B and 111C are added to read:

## SECTION 111A USE AND OCCUPANCY

**111A.1 Safe Site.** Subject to the conditions of subsection 111A.1, a certificate of occupancy or permit under this title may be issued in the following cases:

1. When the applicant has submitted a report(s) required by Section 107A.3 that contains sufficient information to satisfy the building official that all geological or geotechnical hazards will be eliminated prior to use or occupancy of the land or structure by modifications of topography, reduction of subsurface water, buttresses, or by other means or combination of means and that the proposed work on or use of the site will not adversely affect the subject property or neighboring properties.
2. When the applicant has submitted a report(s) required by Section 107A.3 that contains sufficient information to satisfy the building official that the site is not subject to geological or geotechnical hazard.
3. Notwithstanding any provisions of this Subsection, the building official may, at his or her discretion, deny a permit for any building, structure or grading subject to a hazard of a geological nature which cannot be mitigated and may endanger the health or safety of the occupants, adjoining property, or the public.

**111A.2 Hazard Eliminated.** A certificate of occupancy or permit under this title may be issued only if the reports required by Section 107A.3 contain sufficient information to satisfy the building official that all geological or geotechnical hazards will be eliminated, prior to use or occupancy of the land or structure, by modification of topography, reduction of subsurface water, buttresses, or by other means or combination of means sufficient to provide a factor of safety of not less than 1.5.

**111A.3 Pools and Spas.** Subject to the provision of Section 111A.2, a certificate of occupancy or permit under this title may be issued for pools, spas or fish ponds with a capacity less than 2,000 gallons of water provided:

1. The applicant signs and records with the Los Angeles County Registrar-Recorder a statement in a form approved by the City Attorney that he or she is the owner of the real property and that he or she is aware that the records of the building official indicate the property is subject to a physical hazard of a geological nature; and
2. The applicant signs and records an agreement in a form approved the City Attorney releasing the City and all officers, employees, consultants and agents thereof from any liability for any damage or loss which may result from issuance of such permit.

**111A.4 Outdoor Improvements.** Subject to the provisions of Section 111A.2, a certificate of occupancy or permit under this title may be issued for outdoor improvements including, but not limited to, patios, decks or gazebos covering not more than 400 square feet (37.16 m<sup>2</sup>).

**111A.5 Repairs and Alterations in Areas of Potential Geological Hazard.** Subject to the provisions of Section 111A.2, a certificate of occupancy or permit under this title may be issued in the following cases when the applicant seeks only to alter, repair, or replace existing facilities with no change in grade:

1. MINOR ALTERATIONS OR REPAIRS WHICH ARE NOT DUE TO GEOLOGICAL CONDITIONS BUT WHICH MAY BE DUE TO GEOTECHNICAL CONDITIONS: A certificate of occupancy or permit under this title may be issued when the application is for alteration or repair or both not exceeding twenty-five percent (25%) of the value of the existing structure, where there is no increased water use or enlargement, expansion, or extension of the structure and the alterations or repairs are not required due to damage from a geological hazard.
2. MAJOR ALTERATIONS OR REPAIRS OF CONDITIONS WHICH ARE NOT DUE TO GEOLOGICAL CONDITIONS BUT WHICH MAY BE DUE TO GEOTECHNICAL CONDITIONS: Subject to the conditions set forth in Section 111A.2, a certificate of occupancy or permit under this title may be issued when the application is for alteration or repair work exceeding twenty-five percent (25%) of the value of the existing structure, where there is no increased water use or enlargement, expansion, or extension of the structure and the alterations or repairs are not required due to damage from a geological hazard.
3. MINOR REPAIRS OF CONDITIONS DUE TO UNDERLYING GEOLOGIC CONDITIONS: Subject to the conditions set forth in Section 111A.2, a certificate of occupancy or permit under this title may be issued when the application is for repair work not exceeding twenty-five percent (25%) of the value of the existing structure, where there is no increased water use or enlargement, expansion, or extension of the structure and repairs are required due to damage from a geological hazard.

**111A.6 Expert Advice.** In carrying out his or her duties pursuant to this chapter, the building official may consult with and rely upon the advice of a certified engineering geologist, geotechnical engineer, or other person with relevant expertise.

## **SECTION 111B FILLS CONTAINING DECOMPOSABLE MATERIAL**

**111B.1** Building or grading permits shall not be issued for buildings or structures regulated by this code located within 1,000 feet (304 800 mm) of fills containing rubbish or other decomposable material unless the fill is isolated by approved natural or man-made protective systems or unless designed according to the recommendation contained in a report prepared by a licensed civil engineer. Such report shall contain a description of the investigation, study and recommendation to minimize the possible intrusion, and to prevent the accumulation, of explosive concentrations of decomposition gases within or under enclosed portions of such buildings or structures. At the time of the final inspection, a licensed civil engineer shall furnish a signed statement attesting that the building or structure has been constructed in accordance with his or her recommendations as to decomposition gases.

**111B.2** Buildings or structures regulated by this code shall not be constructed on fills containing rubbish or other decomposable material unless provision is made to prevent damage to structures, floors, underground piping, and utilities due to uneven settlement of the fill.

## **SECTION 111C FLOOD HAZARDS**

**111C.1** Buildings are not permitted in an area determined to be subject to flood hazard by reason of inundation, overflow, or erosion.

**111C.2** Buildings and other structures shall be placed on a site so that water or mud flow will not be a hazard to the building or structure or to adjacent property.

**111C.3** Minor structures that do not require a permit and are not intended for human habitation such as fences, trellises, patios, decks and sheds may be placed in flood hazard areas provided:

1. Such placement will not increase the hazard to adjacent property from inundation, erosion, or related causes;
2. Prior to issuance of a permit for such minor structure the owner shall sign and record with the Los Angeles County Registrar-Recorder a statement in a form approved by the City Attorney that the applicant is the owner of the property and is aware that the records of the Building Official indicate that the property is subject to flood hazard by reason of inundation, overflow, or erosion; and
3. The applicant signs and records an agreement in a form approved by the City Attorney releasing the City and all officers, employees, and agents thereof from any liability for damage or loss which may result from issuance of such permit including damage to the minor structure authorized by the permit.

### **15.18.110 Administrative Code amended—Conduct of construction and landscaping activities.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, all construction projects in the city shall adhere to the regulations for dust control, hours of operation temporary construction fencing, construction site maintenance, construction related cargo containers and construction vehicle staging set forth in Section 17.56.020 of the city of Rancho Palos Verdes Municipal Code.

### **15.18.120 Administrative Code amended—Work exempt from permit.**

Notwithstanding the provisions of Section 15.18.010 of this chapter, Paragraph No. 2 under the heading "Building" in Section 105.2 is amended to read:

2. Fences not over 7 feet (2134 mm) high, provided the fences meet the requirements of Section 17.76.030.B of the Rancho Palos Verdes Municipal Code."

**SECTION 7.** Chapter 15.24 of Title 15 of the Rancho Palos Verdes Municipal Code is amended to read:

**"Chapter 15.24**

**DANGEROUS BUILDING CODE**

**Sections:**

- 15.24.010      Dangerous Building Code adopted.**
- 15.24.020      Dangerous Building Code amended—Administrative provisions.**

**15.24.010      Dangerous Building Code adopted.**

Except as hereinafter provided, the Uniform Code for the Abatement of Dangerous Buildings Code 1997 Edition, published by the International Code Council, is hereby adopted by reference as the Dangerous Buildings Code of the city of Rancho Palos Verdes. A copy of the Dangerous Buildings Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.24.020      Dangerous Building Code amended—Administrative provisions.**

The administrative provisions governing the Dangerous Buildings Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this Title."

SECTION 8. Chapter 15.28 of Title 15 of the Rancho Palos Verdes Municipal Code is amended to read:

**"Chapter 15.28**

**HOUSING CODE**

**Sections:**

- 15.28.010      Housing Code adopted.**
- 15.28.020      Housing Code amended—Administrative provisions.**

**15.28.010      Housing Code adopted.**

Except as hereinafter provided, the Uniform Housing Code, 1997 Edition, and the International Property Maintenance Code, 2012 Edition, published by the International Code Council, are hereby collectively adopted by reference as the Housing Code of the city of Rancho Palos Verdes. A copy of the Housing Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force.

**15.28.020      Housing Code amended—Administrative provisions.**

The administrative provisions governing the Housing Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 114 of the Administrative Code, as amended in Section 15.18.040 of this Title."

SECTION 9. All inconsistencies between the Building Code, Residential Code, Green Building Standards Code, Electrical Code, Mechanical Code, Plumbing Code, and Fire Code, as adopted by this Ordinance, and the 2013 edition of the California Building Code, Residential

